IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

Bail Appl..No. 2969 of 2007()

---

CMP.902/2007 of J.M.F.C.-III,KOZHIKODE
CRIME NO.128/2007 OF KASABA POLICE STATION

.....

: PETITIONER/ACCUSED:

---

JEMSHID, S/O. THEJIB,
AGED 24 YEARS, NEDUNGOTTUVAYAL HOUSE, PARAMBATH,
THALAKULATHUR P.O., KOZHIKODE TALUK.

BY ADV. SRI.P.R.SREEJITH

RESPONDENTS: COMPLAINANT:

---

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

**- - - - - - - - - - - - - - - - - -**

Bail Application NO.2969/2007

- - - - - - - - - - - - - - - -

DATED:23-5-2007

**O R D E R**

Petitioner who is the accused in Crime No.128/2007 of Kasaba Police Station for offences punishable under Sections 328, 366 and 376(g) IPC read with Section 34 IPC, seeks his enlargement on bail. Petitioner was arrested on 18.4.2007.

2. The application was opposed on behalf of the prosecution.

3. This is a case of gang rape committed on a girl belonging to the Scheduled caste. Having regard to the nature of the offences, the duration of judicial custody of the petitioner, the present stage of investigation of the case and the other circumstances of the case, if the petitioner is released on bail, he will definitely influence and intimidate the prosecution witnesses. There is also the likelihood of the petitioner making himself scarce and fleeing from justice. I am, therefore, not inclined to grant bail to the petitioner at this stage.

This application is accordingly dismissed.

**V.RAMKUMAR,**
**JUDGE**

mrcs